

Democracy's Best Defence is...Democracy

Fear Robbing us of Reason - threats of Terrorism and Weapons of Mass Destruction
by Tony Kinsella.

"...the real nightmare is that the twin threats of WMD and terrorism come together."
- Tony Blair.¹

The September 11 attacks, we are told, ushered in a radically new era. So new that all that had gone before was now, at best, of minor relevance. Six decades of painfully slow progress towards developing a world order based on law had become *"quaint and obsolete"* as the current US Attorney General, Alberto Gonzalez, described the Geneva Conventions.²

This thesis argues that we face a totally new form of terrorism. A form which has, or is likely to obtain, Weapons of Mass Destruction (WMD) with which it will kill hundreds of thousands of people in our cities, in a blinding flash, or an odourless cloud. This is all so new, so menacing and so deadly, that we should tear up our Constitutions, our Human Rights Conventions, and dismiss all we have learned about combatting terrorism as being irrelevant.

The South African playwright, Gillian Slovo, daughter of the veteran anti-apartheid campaigners Joe Slovo and Ruth First, warns *"If, in the name of defending democracy against terrorism, we permit these changes to our law, then it is the terrorists who can boast that they have won."*³

These two theses cannot both stand. Either Mr. Blair is right, and we face a new and extraordinarily dangerous threat, or Ms. Slovo is right, and we are dangerously squandering centuries of human progress for no good reason.

The Blair/Bush/Howard thesis rests on two assertions; 1) that we face a terrorist threat unlike anything we have ever known, and 2) that this unprecedented threat is amplified by the threat of WMD. Debate continues over the first assertion, how real the terrorist threat we face is, but the assertion of WMD menace has been largely accepted.

Neither stands up to close examination.

A NEW FORM OF TERRORISM?

Defining terrorism is a tricky and significantly subjective business. The BBC's John Simpson offers one snappy definition - *"If it's done by our side it's not terrorism"*.⁴ Professor Chalmers Johnson of the University of California offers a more reasoned one - *"Terrorism by definition strikes at the innocent to draw attention to the sins of the invulnerable"*.⁵

The ethical questions about when the use of force might, or might not, be justified, and what bodies (states versus non-state actors) are entitled to use force are not the primary ones we need to address in evaluating whether we face a substantially new, or different, terrorist threat today. I will also avoid the semantic value judgements inherent in different labels - terrorist, insurgent, paramilitary, freedom fighter, jihadist, etc. - and stick to the catch-all term of terrorist.

Terrorism may be broken down into two main forms. One where it is used as one tactic in the pursuit of political goals, the second where terrorism is employed primarily to create terror. The use of terrorism by nation states straddles both forms.

Where terrorism is employed as a political tactic, the primary response has to be political. When acceptable political institutions emerge in Northern Ireland, terrorism will fade away. One day

Palestinians and Israelis will reach agreement as to how they can share the land they dispute. Similarly Spain's central government and the Basque residents of Euskadi can be expected to arrive at an acceptable form of political association, however esoteric it might seem to outsiders.

This political analysis, for reasons of simplicity, avoids condemnation, or endorsement of the use of terrorism by the different protagonists in the above conflicts. It merely observes that when a political solution emerges, terrorism will fade away. There may well be a handful of diehards, or those addicted to the easy earnings their terrorist careers have provided them with, but they will be a minority, and a politically irrelevant one.

The second form of terrorism is where terror tactics are employed primarily to sow terror. The Baader-Meinhof campaign in the Germany of the 1980s, the Italian Red Brigades, and some extreme-right groups are good examples. Although such groups may have what passes for elements of a political agenda, the primary response to them is a security rather than a political one.

State sponsored terrorism is a murky question. The more classical examples are to be found where state security services employ terrorist bodies in pursuit of state goals. Revolutionary Teheran is widely suspected of having used Hezbollah in such a way. There are persistent rumours of the Kremlin employing the FSB to carry out terrorist attacks within Russia in order to validate Moscow's terror in Chechnya. States rarely resort to terrorism for the sake of terror, more usually state sponsored terrorism is employed in pursuit of state goals.

Islamic fundamentalist terrorism, under the generic Al Quaida label, straddles these categories. Oussama Bin Laden's announced dream of creating a new Baghdad Caliphate, or global Islamic government under an ultra-severe fundamentalist form of Sharia law is not a political demand which attracts much support within either the Arabic or the much larger Moslem world. Mr. Bin Laden probably does not intend his Caliphate to much resemble the centre of learning and tolerance which the Baghdad Caliphate was under the Abassid dynasty (750-1258).

Al Quaida is also a product of significant state support, from Pakistan, Saudi Arabia and the USA. Its roots, its training, its methods, and its eventual Afghan sanctuary all lead back to the unprecedented US support the Reagan administration poured into opposing the Soviet presence in Afghanistan in the 1980s.⁶

It clearly profits from genuinely-felt political problems, the Israeli-Palestinian conflict, the failings and inadequacies of many governments in the Arab world. Like all extremist responses it offers easily accessible simplistic solutions, with a high dose of external blame for domestic failures. This cocktail of simplistic solutions and foreign responsibility is echoed in Irish Republicanism and elsewhere.

The response to Al Quaida must therefore include both political and security responses, with the emphasis on the political. The failure of Washington and Whitehall to date has been their emphasis on the security response, while their invasion of Iraq has made the complex political challenge even more difficult.

Al Quaida type terrorism, with the exception of the systematic use of suicide bombers, is no different - in operational terms - from the terrorist threats many societies have had to face over the years. We are dealing with small numbers of dedicated extremists, some of whose demands strike a sympathetic chord with some potential supporters. The vast majority of Moslems are not Islamic fundamentalists, and the vast majority of Islamic fundamentalists are not terrorists. Al Quaida-type terrorists may occasionally get to swim in a shoal of supportive fish, but it's always in a very small pond, and an easily identifiable one. Anyone care to speculate about how difficult it has become

for an Arab student to get a visa for flight training?

The removal of Al Quaida's Afghan sanctuary, and the combined efforts of most of the world's security and intelligence services since 2001, have significantly degraded whatever loose operational cohesion the movement once had.

At the height of its powers, Al Quaida had to reduce its September 11 ambitions from ten aircraft to four because it could not locate or recruit enough potential pilots capable of either flying aircraft, or of sufficiently blending into US society for them to train there. Three of the four September 11 pilots were "walk-ins", young men who had travelled to Afghanistan at their own initiative to train as soldiers for the war in Chechnya.⁷

Quantitatively therefore Al Quaida is little different from previous terrorist threats, or at least from an amalgam of such threats.

The existential difference between the Al Quaida threat and previous terrorist menaces must then flow from a qualitative difference - its avowed intention to use WMD.

But what constitutes a Weapon of Mass Destruction?

DEFINING WEAPONS OF MASS DESTRUCTION (WMD)

There are two keys to defining a Weapon of Mass Destruction, one is that it must be capable of killing a great number of people with a single attack. The second flows from the first in that there must be little or nothing people can do to protect themselves from that attack.

Machetes, or large slashing knives, are not seen as WMD, yet such weapons killed over 800,000 people in the 1994 Rwandan genocide. In the European Holocaust Nazi *Einsatzgruppen* murdered some 1.5 million people in Poland and the USSR with ordinary guns in the two years before the extermination camps of Treblinka, Sobibor and Auschwitz-Birkenau became fully operational. Yet ordinary firearms are not classed as WMD.

This concept of instantaneity is a vital factor in determining what constitutes a Weapon of Mass Destruction. It must be a weapon with which, in a single instant, the operator can kill very large numbers of people.

The inability of people to protect themselves from the weapon is also determinant in WMD classification. Ten terrorists with automatic weapons could kill hundreds of people in a city street, but in such a scenario people would quickly scatter into buildings and other streets awaiting the arrival of the security forces.

The WMD category is normally presented as including Chemical, Biological and Nuclear Weapons. There is more than an element of propaganda in this presentation, as it is highly questionable whether Chemical and Biological Weapons (CBW) qualify for the Weapons of Mass Destruction label. Owen R. Coté of the Massachusetts Institute of Technology (MIT) and editor of *International Security* warned that "*This classification, which puts three very different weapons into one group, is misleading and dangerous.*"⁸

CHEMICAL AND BIOLOGICAL WEAPONS (CBW)

CBW are both old, and universal. Armies have used disease as a weapon since the first wells were poisoned with animal carcasses. European colonists distributed smallpox infected blankets to Native Americans. Any country capable of manufacturing insecticides, vaccines, medicines or weedkillers is capable of producing CBW.

The world's armies have largely abandoned CBW since they were first employed in WW1. The first effective use of CBW in modern warfare was the German chlorine gas attack in the Ieper (Ypres) salient on 22 April, 1915. Thereafter British, French and German forces used poisoned gas on a number of occasions during WW1.

These weapons, however, did not change the course of the war. They proved to be relatively ineffective and failed to inflict significant casualties. Russian troops lacked training, protective equipment and generally suffered from poor medical facilities, yet German gas attacks on the Eastern Front achieved only 13% fatalities. The fatality rate against better equipped US troops in 1918 fell to 0.2%.⁹ Standard artillery attacks were at least as lethal as poison gas. There was no military use of CBW in WW2.

The next use of CBW by regular armies took place during the 1983-1988 Iran-Iraq war. Saddam Hussein expected his army to win a swift victory over Iran's rather ramshackle post-Shah forces. Iran enjoyed a three-to-one numerical superiority against the attacking Iraqis and Teheran's ayatollahs used human wave infantry attacks to counter Iraq's technical advantages. The war turned into a WW1-style stalemate.

Both sides made extensive use of mustard gas, with reports of Iraq using the more lethal nerve agents Sarin and Tabun. There are no reliable statistics on casualties of the Iran-Iraq war, but some estimates suggest up to 1,000,000 people perished. Iran talks of 60,000 casualties from Iraqi chemical attacks.¹⁰ As in WW1, CBW did not achieve a military breakthrough, the post-war frontier between the two countries was essentially the same as the pre-war one, and considerably more people died from conventional weapons.

All the world's major armies have experimented with Chemical and Biological Weapons, and all have gradually phased them out - because they are less effective than conventional weapons. Several of the countries which have scrapped their CBWs (France, Russia, UK, USA) maintain nuclear arsenals. The decision to scrap CBW was a pragmatic, rather than an ethical, one.

On March 15, 1988 Patriotic Union of Kurdistan Peshmerga, supported by Iranian forces, took the northern Iraqi town of Halabja (pop. 80,000). Early in the evening of March 16 Iraqi aircraft began systematic CBW attacks on Halabja. Approximately 400 Iraqi missions would bombard Halabja over the next four days dropping the most lethal cocktail Saddam Hussein's CBW programmes could produce. The town was saturated with mustard gas and the nerve agents Sarin, Tabun, and VX, and possibly hydrogen cyanide.¹¹

On March 20, the day after the attacks ceased, the Iranian Army took a group of Western journalists to visit Halabja - where doctors had been neither trained nor equipped to deal with CBW agents, and certainly not with such a lethal cocktail. Around 5,000 people were killed over the four days - a fatality rate of 6.25%.¹² More were injured, and health problems linked to the attacks continue to affect the population, yet the grim statistics reveal that the Iraqi air force would have killed more people had it used conventional bombs, machine guns and napalm.

We have only one concrete example of CBW being used by a terrorist group, the Japanese Aum Shinrikyo sect in 1994 and 1995. Aum Shinrikyo invested heavily in the production of the deadly

Sarin nerve agent. On March 20, 1995 Aum Shinrikyo activated Sarin packages on 5 different Tokyo rush hour trains which were all converging on the central Kasumagaseki station. Around 6,000 people were exposed to the agent, 493 were admitted to hospital, and 12 died - a fatality rate of 0.2%.¹³ The March 11, 2003 attacks on Madrid commuter trains, using commercial explosives, would, in comparison, kill almost 200 people.

Delivery and concentration are the keys to an effective chemical attack. The US Army has calculated that it would take up to 1 ton of Sarin (3,000 artillery shells) to produce a "*lethal respiratory hazard*" for people in a one square mile area.

Similar restrictions apply to biological weapons, in order to infect a large number of people, the attacker needs to saturate the area. Aum Shinrikyo is reported to have released botulin toxin in central Tokyo in April 1990 and June 1993. In June 1993 it is also reported to have released anthrax from its Tokyo offices. These attacks past unnoticed at the time, as nobody was infected.

US novelist Tom Clancy describes an Ebola attack on the continental US in his 1996 book *Executive Orders*. Clancy developed his scenario with assistance from biological warfare experts of the US Army Medical Research Institute of Infectious Diseases (USAMRIID) at Fort Detrick, Maryland. In Clancy's scenario aerosol dispensers are triggered at 18 trade fairs across the US creating 223 primary cases, and the eventual death toll reaches under 10,000, before the disease peters out. Clancy notes that "*Biological Warfare is essentially Psychological Warfare*".

Neither chemical nor biological weapons make the grade as weapons of mass destruction. Although it is relatively easy to manufacture many of the agents, it is extremely difficult to release them in sufficient quantities, within a short space of time, for them to inflict serious casualties. This makes them unsuitable for use by terrorists, even ones on a suicide mission.

Political leaders, who should know better, but who persist in talking up the threat of CBW are in fact playing into the hands of putative terrorists. Given the fear that the White House and Whitehall have managed to generate, triggering a harmless pyrotechnic to spew green smoke into a city Metro would now stand a good chance of killing several people by means of a panic-induced stampede.

NUCLEAR WEAPONS

There are something in the region of 20,300 nuclear warheads currently deployed across our planet by 8 countries (ten if you include North Korea and Iran), 83% of them are held by the USA and Russia.

Table 1 - World's Nuclear Warheads:

USA	10,460
Russia	8,600
China	400
France	350
UK	200
Israel	200
India	90
Pakistan	48
N. Korea (?)	3
Iran	?

Source: *Le Nouvel Observateur*, Paris, No. 2082, 30 Sept - 6 Oct., 2004.

The most deadly of these are thermonuclear weapons (hydrogen bombs) which use an Hiroshima-style atomic bomb as a trigger to generate the 10^{70} temperatures necessary for a fusion reaction.

Fortunately we have no experience of the devastation such weapons can cause, but estimates suggest that a thermonuclear attack, detonating its warhead 3,500 metres above an urban target would cause fatalities of between 10% and 25%. The population would have no warning, and even if warned could do little to save or protect itself.¹⁴

Thermonuclear devices are undoubtedly Weapons of Mass Destruction. It is, however, completely beyond the capacity of terrorist groups, however well funded, to develop either such devices, or the ballistic missiles or sophisticated aircraft required to deliver them. Only states are capable of deploying such resources and the industrial facilities they require cannot be hidden - *"it is very difficult for a state to hide the fact that it is seeking to produce or is producing the materials needed to make nuclear weapons."*¹⁵

Terrorists could either buy, steal, or be given such a weapon, and while there may be cause for concern over the security of warheads in certain states (Pakistan and Russia in particular), such a development could not go either un-remarked, or unreported.

The only real WMD that exist are the nuclear ones. Only states are capable of producing such weapons, and at most ten states have, or are about to have, such weapons. Reinforcing security around such weapons is by far the most reliable method of ensuring that terrorist groups cannot obtain them.

Al Quaida, or its successor movements, pose a terrorist threat, but it is a threat which is neither quantitatively nor qualitatively different from similar threats which many countries have had to face in the past.

DEFENDING DEMOCRACY

Tony Blair's assertion that we face a new form of threat is false, but it risks becoming one of those falsehoods which, when repeated often enough and forcefully enough, come to be accepted as fact. The only fact of such assertions is that they are designed to sow fear in our societies, and as Edmund Burke, writing in 1757, warned us *"No passion so effectually robs the mind of all its powers of acting and reasoning as fear."*¹⁶

There is a terrorist threat, and while the primary response to it must be political, it does require a security response. Some would have us believe that the only appropriate response is the muscular

one. Others argue that a political response alone is enough to address the threat. The real answer lies between, with primacy always going to the political. Surely that is something the British and Irish peoples can easily understand?

The fundamental basis of democracy is that sovereignty flows from the people, therefore the liberty of each individual is a democratic pre-requisite. This liberty is guaranteed by the rule of law and most explicitly by the undertaking that no individual can be deprived of their liberty without due process.

The nature of that due process can change in function of circumstances. No democracy has ever refused to adopt special security legislation and procedures when faced with a discernible threat. Many democracies have, however, lived to rue the absence of independent oversight systems within such special provisions. As columnist Bob Herbert wrote in *The New York Times*: “So we are stuck...with the disgrace of Guantánamo, which will forever be a stain on the history of the United States, like the internment of the Japanese in World War II.”¹⁷

Terrorists do not, by the very nature of their activities, lend themselves to the same trial and custody procedures as other suspects. A group of young people living in a city tower block who suddenly start purchasing large quantities of diesel and fertiliser for which they have no obvious use have not actually committed a crime. Had the Newark or Boston police detained the September 11 hijackers before they boarded their aircraft, a similar difficulty would have arisen.

There is therefore an argument, and a valid argument, for the introduction of special, temporary, measures to address the threat of terrorism. The United Kingdom and the Republic of Ireland share recent experiences of a terrorist threat and of the *lacunae* of over-hasty security responses. Have we forgotten the Heavy Gang, Nicky Kelly, the Birmingham Six and the Guildford Four?

Have we forgotten the horrors of the Holocaust even as we commemorate the 60th anniversary of the liberation of Auschwitz? Can we overlook that fatal first step in the Nazi’s “Final Solution” - de-humanising their victims? In order for ordinary men and women to shoot, strangle, suffocate and eventually gas (with a derivative of a commercial insecticide - Zyklon B) over 9,000,000 Jews, Gypsies, Homosexuals, Mentally Handicapped, and political opponents - the first essential step was to deprive the victims of their humanity. Once the filthy terrified entities stumbling from their cattle wagons were no longer human, eliminating them became not only possible, but almost easy.

We may need special court procedures, we may need very occasionally to preventively detain a suspect. All our histories scream at us that we need as many safeguards as possible within such systems, as much transparency and as little secrecy as we can possibly imagine. Our recognition of the humanity of special prisoners must never be compromised. Obviously nobody expects security and intelligence officers to identify themselves and compromise their sources in open court, but that doesn’t mean that they shouldn’t be asked to defend their arguments for special detentions.

Such systems, such safeguards, seem to form no part of today’s Washington, or Whitehall, mindsets. Perhaps they never heard Christy Moore sing “I’ll sign anything if you let me close my eyes”?¹⁸

“The fools, the fools, the fools....”

Those of us who have lived through the Irish experience of the past few decades know terrorism, we have lived with its menace, with the constraints of additional security measures, and the restraints of security laws.

Many of us have had to face our own cultural ambiguities, what I have called our twin angers. Anger at the stupidity of successive governments, the mind-boggling bloody bungling of Derry's 1972 Bloody Sunday, the pyromaniac posturing of Mrs. Thatcher during the Long Kesh Hunger Strikes, the festering futility of the Birmingham Six and the Guildford Four. In those moments our folk memories and myths of national resistance stirred, often uncomfortably.

As our angers raged at London for feeding the Provos everything they needed, with extra helpings readily available, our other anger simultaneously raged at the arrogance of the Provisional's carnage. How dare they pretend to speak, to murder, in our name?

How many millions from Casablanca to Bali must now be facing their very own twin angers?

Washington and London are already well down the road to producing a generation of Islamic martyrs - while daily demonstrating that human rights are non-essential fair-weather, and very likely fair-skinned, optional extras.

We don't need to demonstrate the force of our arms, nor to emphasise the brutality and arbitrariness of our anti-terrorist imprisonments to the world - for everybody has seen them. We do need to show the strength of our democracies, their tolerance and respect for universal human rights. These values are our only real bulwark against theocracy, autocracy, totalitarianism and barbarity - whichever uniforms they choose to don.

Protected somewhere along Pakistan's North-West Frontier, Oussama Bin Laden must be smiling. I wonder if he ever read Pearse's oration for O'Donovan Rossa "*The fools, the fools, the fools, they have left us our Fenian dead...*" ?¹⁹

Tony Kinsella,
February 9, 2005.

1. From the *Independent on Sunday*, published in Scotland's *Sunday Herald*, March 2, 2003.
2. In a January 25, 2002 memorandum to President George W. Bush, then White House counsel Alberto Gonzalez wrote "In my judgment, this new paradigm renders obsolete Geneva's strict limitations on questioning of enemy prisoners and renders quaint some of its provisions." Cited in "The Roots of Torture", John Barry, Michael Hirsh, Michael Isikoff, *Newsweek International*, May 24, 2004.
3. "Banning, house arrests - it all sounds eerily familiar", Gillian Slovo, *The Guardian*, February 2, 2005.
4. "Why the US Military is Not About to Go Charging into Iran", John Simpson, *The Sunday Telegraph*, June 1, 2003.
5. *Blowback*, Chalmers Johnson, Henry Holt & Company, New York 2001, p.7.
6. See *Charlie Wilson's War*, George Crile, Atlantic Monthly Press, New York (2003).
7. *The 9/11 Commission Report*, Report of the National Commission on Terrorist Attacks upon the United States, Washington, July 2004, p.156.
8. "Weapons of Mass Confusion", Owen J. Coté, *The Boston Review*, April/May 2003.
9. *First World War.com - Weapons of War - Poison Gas*. www.firstworldwar.com/weapons/gas.htm
10. "Iraq and the Use of Chemical Weapons", Jim Garamone, American Forces Press Service, US Department of Defense, *DefenseLINK* January 23, 2003.
11. "Chemical and Biological Weapons Threats to America: Are We Prepared?" Testimony by Dr. Christine M. Goden, Professor of Medical Genetics, University of Liverpool, before the US Senate Judiciary Sub-Committee on Technology, Terrorism and Government and the Senate Select Committee on Intelligence, April 22, 1998.
12. "I Shall be Safe from the Gas but People will be Dying All Around Me", John Simpson, *Independent on Sunday*, January 19, 2003.
13. "Aum Shinrikyo: Once and Future Threat?" Kyle B. Olson, *Emerging Infectious Diseases*, Vol. 5, No. 4, July-August, 1999. Centers for Disease Control and Prevention (CDC), Atlanta, Georgia, USA.
14. See *Third World War*, General Sir John Hackett and others, Sphere Books, London 1979, pp 367-390.
15. Owen J. Coté, Op. Cit.
16. *On the Sublime and Beautiful*, (1757), pt.2, sect.2.
17. "Stories from the Inside", Bob Herbert, *The New York Times*, February 7, 2005.
18. *Scapegoats* from the 1991 album *Smoke & Strong Whiskey*, E. Cowan/C. Moore/Bal Music Ltd.
19. Oration at Glasnevin cemetery August 1, 1915 at the funeral of Jeremiah O'Donovan Rossa.